

Deceased Estate Checklist for Overseas Residents

Please send documents to
the registrar of the issuer

Deceased Estate Checklist for Overseas Residents

This checklist has been prepared to assist executors and administrators when dealing with the securities of an individual deceased securityholders where the deceased resided outside Australia.

Where a foreign (non-Australian) Probate has been granted and the values of the securities as at the date of death or the current value, whichever is greater and exceed the threshold then you will require following documentation:

1. A certified copy of the foreign Probate re-sealed in an Australian Supreme Court (See note below regarding re-seal of Probate).
OR
Originally certified copy of Probate, granted in an Australian Supreme Court.
2. Section 1071B Statement (Please download the form our website).
3. A certified copy of South Australian Section 121A Certificate (if the Probate has been granted or re-sealed in the State of South Australia)

Where a foreign (non-Australian) Probate is **not** granted and the value of the securities as at the date of death or current value, whichever is greater and exceed the threshold the you will require following documentation:

1. A certified copy of Probate, granted in an Australian Supreme Court
2. Section 1071B Statement (Please download the form our website).
3. A certified copy of South Australian Section 121A Certificate (if the Letters of Administration has been granted in the State of South Australia)

OR

1. A Transfer Indemnity Bond (Acceptable for Transmission or Transfer of securities only)
2. A certified copy of the Death Certificate
3. A certified copy of the Will

Where a foreign (non-Australian) Probate is granted and the value of the securities as at the date of death or current value, whichever is less then the threshold the you will require following documentation:

1. A certified copy of the foreign Probate
2. Small Estate Statement and Indemnity form

Where a foreign (non-Australian) Probate is **not** granted and the value of the securities as at the date of death or current value, whichever is less then the threshold the you will require following documentation:

1. A certified copy of the Death Certificate
2. A certified copy of the Will
3. Small Estate Statement and Indemnity form

Where a Will is not available (Deceased did not leave a valid Will (Intestacy)) and the value of the securities as at the date of death or current value, whichever is greater and exceed the threshold? If so, you will need the following:

1. A certified copy of the foreign Letters of Administration re-sealed in an Australian Supreme Court (See note below regarding re-seal of Letters of Administration)
- OR
2. A certified copy of Letters of Administration granted by Australian Supreme Court
 3. Section 1071B Statement form
 4. A certified copy of South Australian Section 121A Certificate (if the Letters of Administration has been granted in the State of South Australia)

OR

1. A Transfer Indemnity Bond (Acceptable for Transmission or Transfer of securities only)
2. A certified copy of the Death Certificate
3. A Statutory Declaration and Indemnity Next of Kin form

Where a Will is not available (Deceased did not leave a valid Will (Intestacy)) and the value of the securities as at the date of death or current value, whichever is less then the threshold? If so, you will need the following:

1. A certified copy of the Death certificate
2. A Statutory Declaration and Indemnity Next of Kin form
3. Small Estate Statement and Indemnity form

Important Definitions

Certified Copy

Is a copy of the original document certified to be a true and correct copy of the original by an authorised person who can witness a Statutory Declaration such as a Justice of the Peace, Chartered Accountant, Police officer etc. A full signatory list of persons who can certify documents can be found at www.ag.gov.au/statdec. The certification signature must be original.

Death Certificate

Is a legal document issued by the Registrar of Births, Deaths and Marriages. This is not the same as a 'Medical Certificate as to the Cause of Death', which is not acceptable as a supporting document.

Grant of Probate

It is an official court document stating that the Will is legally valid, and the named Executor(s) of the Will has the authority to administer the estate.

Intestacy

It is a term used to describe the situation where a person has died without leaving a valid Will.

Letters of Administration

It is an official court document issued where there is no Will, appointing an Administrator to administer the estate of the deceased, similar to an Executor.

Request for Transmission – Surviving Joint Holder form

It is form used to transmit the securities to the surviving joint holder(s) only.

Standard Transfer form

It is a form used to transfer the securities from the estate holding to the Beneficiaries named in the Will. If there is more than one Beneficiary and/or if the deceased held securities in more than one share company then separate transfer forms are required for each Beneficiary and each a share company. If there is more than one Beneficiary and they want to hold the securities in joint names, then only one transfer form is required. However, separate forms are still required if the securities are held in more than one share company.

Sale Authority form

It is a form used to sell the securities through Link Market Services' Share Sale Facility. Note that not all issuers participate in the Facility, please contact our office to confirm and obtain further information about this service.

Section 1071B Statement

It is a statement prescribed by Section 1071B of the Corporations Act 2001. It is required where a grant of Probate or Letters of Administration has been granted or re-sealed in a State or Territory other than where the securities are registered.

Small Estate Statement and Indemnity form

It is a form used when it is not intended to apply for a grant of Probate or Letters of Administration because of the small value of the Australian assets of the estate when the market value of the securities as at the date of death or current market value whichever is greater, is less than the threshold.

South Australian Section 121A Registrar's Certificate

South Australian Section 121A Registrar's Certificate prescribed by the Administration and Probate Act 1919 - applies only to Probate or Letters of Administration granted in the State of South Australia. An Executor or Administrator is required to disclose to the Court any assets and liabilities of the deceased person.

Threshold

The threshold value amount is \$15,000 (AUD). However, some Issuers may elect to establish a higher amount as the threshold. Please contact our office for further information regarding the threshold value.

Transmission Application

The form is used to transmit the securities to the names of the Executor(s)/Administrator(s) of an estate. An account designation e.g. <Estate late [name of deceased]> is added.

The account designation does not form part of the registered name. It is not necessary to transmit the securities to the Executor(s)/Administrator(s) prior to a transfer of securities to the Beneficiary(s).

Transfer Indemnity Bond

A Transfer Indemnity Bond is an irrevocable and unconditional guarantee issued by a financially sound institution which is willing to guarantee that the "Last Will and Testament" of a deceased securityholder is indeed a valid document and should be recognised by the public company. This guarantee allows the securityholding to be transmitted or transferred without the need to obtain a Grant of Probate, Letters of Administration or a Re-seal of Probate.

Where there is no Probate or Letters of Administration and the value of the holding exceeds the threshold, a Transfer Indemnity Bond is required (as opposed to a Small Estates Indemnity form).

Will

It is a legal document setting out the wishes of the deceased for the distribution of their assets.

Note regarding re-seal of overseas Probate or Letters of Administration in Australia

Re-seal of Probate is acceptable only when the original overseas Probate has been granted in a Commonwealth country. If the original foreign Probate has not been granted in a Commonwealth country, a FULL Australian grant must be obtained.